CHAPTER 21

Order of Business; Specical Orders

A. General Principles

- § 1. Order Fixed by Rule and Precedent; Scheduling Business
- § 2. Prayer, Approval of Journal, and Business on the Speaker's Table
- § 3. Unfinished and Postponed Business
- § 4. Calendar Wednesday; Morning Hour Call of Committees
- § 5. District of Columbia Business
- § 6. One-minute Speeches
- § 7. Special-order Speeches
- §8. Varying the Order of Business

B. Motions to Suspend the Rules

- § 9. Use and Effect
- § 10. When in Order
- §11. Recognition to Offer
- §12. Seconding the Motion; Recognition to Demand Second
- § 13. Time and Control of Debate
- §14. Amendments to Propositions Under Suspension
- § 15. Voting on the Motion

C. Special Rules or Orders

§16. Authority of Committee on Rules; Seeking Special Orders

Ch. 21

DESCHLER'S PRECEDENTS

- § 17. Reports and Their Privilege
- § 18. Consideration in the House
- § 19. Interpretation and Effect

D. Types of Special Orders

- § 20. Varying Order of Business; Providing for Consideration
- § 21. "Open" Rules, Allowing Amendments and Making in Order Certain Amendments
- § 22. "Closed" Rules, Prohibiting Amendments and Allowing Only Certain Amendments
- §23. Waiving and Permitting Points of Order
- § 24. As to Control, Distribution, and Duration of Debate
- § 25. As to Reading for Amendment
- § 26. As to Voting and Motions
- § 27. Senate Bills and Amendments; Conference Reports

E. Privileged Business

- § 28. Authority and Scope Under Constitution, Statutes, and Rules
- § 29. Certain Bills, Resolutions, and Reports
- § 30. Privileged Motions as to the Order of Business
- §31. Relative Precedence Among Privileged Matters

INDEX TO PRECEDENTS

Approval of Journal

adjournment prior to, § 2.4 precedence of, §§ 2.4–2.13 yields only to questions of privilege of the House, constitutional privilege, and receipt of messages, §§ 2.5, 2.6

Bills (see also Suspension of the rules; Special orders)

appropriation nonprivileged (not "general" appropriation bill), § 8.13

Bills (see also Suspension of the rules; Special orders)—Cont.

precedence, § 29.10 privileged motion to resolve into Committee of the Whole, § 29.7 special order giving precedence, § 29.8

House request for return of bill from Senate not privileged, § 29.33 motion to rerefer, §§ 2.14–2.16 Senate

Bills (see also Suspension of the rules; Special orders)—Cont.

privileged where similar to House calendar bill. §29.29

request for return cf bill privileged, §29.32

Senate amendment to House bill privileged where stage of disagreement reached, § 29.31

Calendar Wednesday business

authority and recognition to call up §§ 4.12-4.17

debate on, § 4.24

debate on motion to dispense with, $\S\S\,4.34{-}4.36$

eligible bills, §§ 4.9, 4.10

morning hour call of committees distinguished, $\S 4.1$

motion to dispense with, $\S\S4.30-4.33$

order of call, § 4.11

4.23

precedence, §§ 4.3–4.8

question of consideration, §§ 4.18–4.20 reconsideration, § 4.25

unanimous-consent requests, §§ 4.21–

unanimous consent to dispense with, $\S\S4.40-4.42$

unfinished business, §§ 4.26-4.29

vote on motion to dispense with (two-thirds required), §§ 4.37–4.39

Committee on Rules (see also Special orders)

authority as to order of business

jurisdiction over order of business, §§ 16.7, 16.8

may not prevent operation of motion to recommit, § 16.19

may provide for consideration of unreported measures, §§ 16.15–16.18

may provide for waiving rules, §§ 16.9–16.14

may provide procedures for bill already under consideration, §§ 16.26, 16.27

Committee on Rules (see also Special orders)—Cont.

power and function, §§ 16.1—16.6 requesting special orders of business from Committee on Rules, §§ 16.20–16.22

consideration of special orders

amendments offered by manager, §§ 18.23–18.26

calling up, §§ 18.1-18.5

committee amendments, §§ 18.21, 18.22

consideration of motion to discharge, §§ 18.46–18.51

consideration on same day reported by two-thirds vote, §§ 18.6–18.10

debate under hour rule, §§ 18.15-18.18

discharge rule, forms of special orders introduced under, §18.53

discharging committee from special order, §§ 18.44, 18.45

division of question not in order, §18.43

motion to recommit not in order, §18.38

nongermane amendments, §§ 18.30, 18.31

postponing consideration, § 18.37

putting question of consideration on same day reported, §§ 18.11–18.14

rejection of previous question, §§ 18.32–18.36

relevancy in debate, §§ 18.39, 18.40

twenty-one day discharge rule (obsolete), § 18.52

when amendments are in order, §§ 18.19, 18.20

withdrawing resolution, §§ 18.41, 18.42

yielding for amendment, §§ 18.27–18.29

meetings of, §§ 16.23–16.25, 17.6 reports and their privilege

Committee on Rules (see also Special orders)—Cont.

filing, §§ 17.1, 17.2 form, §§ 17.3, 17.4

nonprivileged reports, §§ 17.13, 17.14 privilege and precedence of reports on order of business, §§ 17.7–17.12 quorum required to report, § 17.5

rules adopted by, § 16.24

Committees (see also District of Columbia business; Committee on Rules)

morning hour call of, for reported legislation, §§ 4.1, 4.2

motions to discharge, §§ 30.11–30.14 motions to suspend rules offered on behalf of, §§ 11.1, 11.10–11.13

privileged reports

contempt of witnesses, §§ 28.15–28.19

privileged under leave to report at any time, §§ 29.1–29.3

quorum required to report, §29.4 resolutions of inquiry, §29.14

resolutions privileged under statute, §§ 29.11, 30.8–30.10

scope of privileged reports and inclusion of nonprivileged matter, §§ 29.1–29.3

select committee given right to report as privileged, §§ 29.6, 29.6 vetoed bills, § 28.7

publishing reports as question of privilege, § 28.13

 $\begin{array}{c} \text{role in scheduling legislation, } \S\$\,1.22-\\ 1.25 \end{array}$

Concurrent resolutions

certain privileged

adjourned sine die, § 29.18

adjournment to day certain, § 29.17 joint sessions to hear President and for electoral count, § 29.19

Conference reports (see also Special orders)

effect of special order on calling up, $\S 30.7$

Conference reports (see also Special orders)—Cont.

filing as privileged, §29.21

made in order by unanimous consent, §29.24

precedence of, §§ 29.25-29.28

printing and availability requirements before consideration, §§ 29.20–29.23

reports in disagreement, § 29.23

unfinished business, § 3.22

Consideration (see also Special orders; Motions on order of business)

House determines, §§ 30.16–30.19 question of, when in order, § 30.16 Rules Committee report on same day reported, §§ 18.6–18.14

Constitution

amendments to, passed under suspension of rules, § 9.21

propositions privileged under

concurrent resolution for joint session, § 29.19

concurrent resolutions for adjournment, §§ 29.17, 29.18

contested election cases, § 28.1 impeachment, §§ 28.9–28.11

scope generally, § 28.1 vetoed bills, § § 28.2-28.8

Daily order of business

approval of Journal, §§ 2.4-2.13

business on Speaker's table

executive communications, § 2.17

messages, §§ 2.22-2.24

Senate bills and amendments, §§ 2.17–2.21

morning hour call of committees (obsolete), §§ 4.1, 4.2

motions to rerefer public bills, §§ 2.14-2.16

one-minute speeches, $\S\S\,6.1\text{--}6.4$

prayer, §§ 2.1–2.3

special-order speeches, §§ 7.1–7.4

Daily order of business—Cont. unfinished business, § 3

District of Columbia business

consideration, §§ 5.6–5.10, 5.15 private bills, §§ 5.8. 5.11 transferring by special order, §§ 5.12,

8.9–8.11 unfinished business, §§ 5.13, 5.14 when in order and precedence, §§ 5.1

5.5, 29.10

Electoral count, privileged propositions relative to, § 29.19

Impeachment propositions, privilege of, §§ 28.9–28.11

Messages

privileged for receipt and for disposition, §§ 2.22–2.24

 $\begin{array}{ll} unfinished & business, \quad \S\S\,3.27, \quad 3.28, \\ 3.36\text{--}3.38 \end{array}$

veto messages, §§ 28.2-28.8

Modification of privileged resolutions, §§ 29.36

Motion to rerefer public bills, §§ 2.14-2.16

Motions on order of business (see also Consideration; Suspension of Rules)

discharge standing committee, §§ 30.11–30.14

 $\begin{array}{ll} \text{dispense} & \text{with Calendar Wednesday,} \\ \S \, 30.15 & \end{array}$

proceed to consideration in House effect of special order, §§ 30.6, 30.7 following motion to discharge, § 30.12

resolve into Committee of the Whole motions to table and to discharge not in order, §§ 30.1, 30.2

privileged after certain motions to discharge, § 30.11

privileged for general appropriation bills, §§ 29.7–29.10

privileged resolution under statute, §§ 30.8–30.10

Motions on order of business (see also Consideration; Suspension of Rules)—Cont.

privileged under special order, §§ 30.330.5

Oath administration, privilege of, §§ 28.20, 28.21

One-minute speeches

in order before legislative business, $\S\S\,6.1\text{--}6.4$

recognition for debate only, § 6.8 when no business is scheduled, § 6.5 when not entertained, §§ 8.6, 6.7

Prayer

point of order of no quorum not in order before, § 2.2 when offered, §§ 2.1, 2.3

Questions of privilege (see also Constitution)

personal privilege, §§ 28.22, 28.23 privilege of House

administration of oath, §§ 28.20, 28.21

contempt of witnesses before committees, §§ 28.15–28.19

power to originate revenue measures, §28.12

 $\begin{array}{lll} precedence \ generally, \ \S\S\,28.12-28.14 \\ publishing & of & committee & report, \\ \S\,28.13 \end{array}$

subpenas, §28.14

Recognition (see also Speaker)

Calendar Wednesday business, §§ 4.12–4.17

demanding second on motion to suspend rules, $\S\S 12.9-12.20$

motion to dispense with Calendar Wednesday, §§ 4.30–4.33

motion to suspend rules, §§ 11.1-11.13 one-minute speeches, §§ 6.1-6.4

question of privilege, § 28.23

reports of Committee on Rules, §§ 18.1–18.5

Recognition (see also Speaker)—Cont.

Speaker's discretion where matters equally privileged, §§ 31.1–31.6

Speaker's power of, generally, §§ 1.7–1.19

special-order speeches, §§ 7.1-7.12

unanimous-consent requests, $\S\S 1.3$, 1.4, 1.14-1.18

Resolutions (see also **Concurrent resolutions**)

postponing consideration of privileged resolution, § 29.34

privileged motion to discharge

resolutions creating order of business, §§ 18.44–18.52

resolutions of inquiry, §§ 29.1a, 29.16 resolutions privileged under statute, § 29.11

privileged when offered from floor

electing Members to committee, §§ 29.12, 29.13

impeachment, §§ 28.9, 28.11

questions of privilege of House, §§ 28.12–28.19

privileged when reported from committee

certain committees and subject matter. §§ 29.1–29.3

Committee on Rules, §§ 17.7–17.13 impeachment, § 28.10

resolutions of inquiry, §29.14

resolutions privileged by statute, §§ 29.11, 30.8–30.10

withdrawing privileged resolution, § 29.35

Scheduling legislation (see also Committee on Rules; Special orders; Suspension of the rules)

House may determine order of consideration, §§ 1.19–1.21

recognition for unanimous-consent requests, §§ 1.3, 1.4, 1.14–1.18

role of committee with jurisdiction,§§ 1.22–1.25

Scheduling legislation (see also Committee on Rules; Special orders; Suspension of the rules)—Cont.

role of leadership, §§ 1.1-l.6

Speaker's power of recognition, §§ 1.7–1.13

Senate (see also Special orders)

amendments

privileged where not requiring consideration in Committee of the Whole, § 29.30

privileged where stage of disagreement reached, § 29.31

hills

privileged under leave of select committee to report at any time, § 29.6 privileged where similar to reported House bills on House calendar, § 29.29

concurrent resolution for adjournment or amendments thereto, privileged §§ 29.17, 29.18

concurrent resolution for joint session privileged, § 29.19

messages privileged for receipt, §§ 2.23, 2.24

request for return of bills privileged, §29.39

Speaker (see also Recognition)

authorized to recognize for ineligible conference report, § 19.1

authorized to recognize for motion to recess, $\S\,20.31$

authorized to recognize for motions to suspend rules on ineligible days, §§ 10.3–10.7

interpretation of special orders, § 19.1 scheduling legislation, §§ 1.1–1.6, 9.22–9.24

voting by, on motion to suspend rules, §§ 15.3, 15.4

Special-order speeches

in order after legislative business, §§ 7.1–7.4

Special-order speeches—Cont.

limited to one hour, §§ 7.5, 7.6 requesting and rescheduling, §§ 7.7–7.9 sequence of, §§ 7.10–7.12

Special orders (see also Committee on Rules; Suspension of the rules; Unanimous-consent requests)

amendments between the Houses and sending to conference

amendments reported in disagreement from conference, §§ 27.44, 27.45

concurring in part, disagreeing in part, sending to conference, § 27.27 concurring in Senate amendment, §§ 27.15–27.20

concurring in Senate amendment with an amendment, §§ 27.21, 27.22

disagreeing to Senate amendment, sending to conference, §§ 27.23–27.26

discharging committee from consideration of Senate bill, § 27.7

insisting on House amendment, sending to conference, §§ 27.28–27.30

Senate amendment to House bill taken from Speaker's table for consideration, §§ 27.12–27.14

Senate bill, consideration made in order, §§ 27.1–27.6

sending bill to conference, § 27.31

substituting text of House-passed bill for text of Senate-passed bill, §§ 27.8–27.11

closed rules, prohibiting amendments or allowing only certain amendments closed in part, open in part, §§ 22.14, 22.15

committee amendments only permitted, §§ 22.1–22.7

committee amendments or designated amendments only permitted, §§ 22.8–22.11

Special orders (see also Committee on Rules; Suspension of the rules; Unanimous-consent requests)—Cont.

consideration of bill in House, §22.16 motion that Committee of the Whole rise with recommendation that enacting clause be stricken, §§22.17, 22.18

pro forma amendments, §§ 22.19–22.21

requesting closed rule, § 22.22

two committees managing bill, §§ 22.12–22.15

conference reports

consideration of, generally, §§ 27.37–27.39

consideration of, when reported, §§ 27.32–27.35

points of order waived against conference reports and motions on amendments in disagreement, §§ 27.40–27.45

unauthorized appropriation protected by special order governing consideration of bill in House, § 27.36 sending to conference, § 27.31

consideration under special orders

further procedures for consideration of bill already pending, §§ 20.32, 20.33

 $\begin{array}{c} immediate \ consideration \ of \ unreported \\ bill, \ \S\S \ 20.5-20.15 \end{array}$

motion that House resolve into Committee of the Whole for consideration of measure, §§ 20.1–20.3

motion to recess made in order, § 20.31 motion to suspend rules under special order, § 20.28

private bill, §§ 20.25, § 20.26

resolution in Committee of the Whole. §§ 20.18–20.23

resolution in House § 20.24

resolution from Rules Committee which is not privileged, §§ 20.29, 20.30

Special orders (see also Committee on Rules; Suspension of the rules; Unanimous-consent requests)—Cont.

Union Calendar bill in House, §§ 20.16, 20.17

continuing effect of, § 16.28

debate under special orders

debate in House, §§ 24.16-24.20

designated Member controlling portion of general debate in Committee of the Whole, §§ 24.1, 24.2

five-minute debate in Committee of the Whole, §§ 24.9, 24.10

five-minute debate under closed rule, §§ 24.11–24.15

general debate in Committee of the Whole fixed by days, §§ 24.5-24.8

two or more committees in control, §§ 24.3, 24.4

filing supplemental report on measure on which special order has been reported, § 20.4

interpretation and effect of special orders

Chair's interpretation generally, §§ 19.1–19.3

effect of adoption of special orders, §§ 19.9–19.11

interpretation as not within Chair's province, §§ 19.4–19.8

motions under special orders

motion that Committee of the Whole rise with recommendation that bill be recommitted, § 26.3

motion that Committee of the Whole rise with recommendation that enacting clause be stricken, §§ 26.1, 26.2

motion to recommit, §§ 26.6-26.10

motion to recommit, points of order waived against, § 26.14

motion to recommit under closed rule, §§ 26.11, 26.12

Special orders (see also Committee on Rules; Suspension of the rules; Unanimous-consent requests)—Cont.

previous question considered as ordered, §§ 26.4, 26.5

two motions to recommit, § 26.13

open rules, allowing amendments and making in order certain amendments all points of order waived against certain amendments, § 21.3

certain amendments prohibited, §§ 21.15–21.17

designated amendments made in order, §§ 21.4–21.10

offering amendments under open rules, § 21.1

offering designated amendments made in order, §§ 21.11–21.14

special orders open in part, closed in part, § 21.2

points of order waived or permitted

amending nongermane amendment permitted to remain by

special order, §§ 23.23, 23.24

amendment, all points of order waived, §§ 23.14-23.17

amendment which is not germane, points of order waived, §§ 23.18-23.22

appropriation bill, amending legislation permitted to remain by special order, §§ 23.43–23.47

appropriation bill, points of order waived generally, §§ 23.25–23.26

appropriation bill, points of order waived against amendment to, §§ 23.32–23.34

appropriation bill, points of order waived against legislation in, §§ 23.38–23.42

appropriation bill, points of order waived against unauthorized appropriations, §§ 23.35–23.37

Special orders (see also Committee on Rules; Suspension of the rules; Unanimous-consent requests)—Cont.

appropriation bill, waiver against does not protect floor amendments, §§ 23.30, 23.31

appropriation in legislative bill, points of order waived as to §§ 23.48, 23.49

authority to waive points of order generally, §§ 23.1–23.3

bill, all points of order waived as to, §§ 23.4, 23.5

bill improperly reported, points of order waived as to, §§ 23.6–23.13

designated points of order permitted, $\S 23.50$

reading for amendment under special orders

committee amendment in nature of substitute read as original bill for amendment, §§ 25.10–25.14

method of reading bill or amendment in nature of substitute varied, §§ 25.1–25.3

offering amendments to amendment in nature of substitute read as original bill, §§ 25.15–25.17

reading bill in entirety, §§ 25.8, 25.9 reading of bill waived and bill considered as read for amendment, §§ 25.4–25.7

rescinding previous resolution, § 20.27

voting under special orders

separate votes in House on amendments reported from Committee of the Whole, §§ 26.15–26.22

Suspension of the rules

amendments

floor amendments not in order, $\S\S14.6-14.11$

motion to strike enacting clause not in order, §14.12.

Suspension of the rules —Cont.

motion to suspend and pass bill with amendments, §§ 14.1–14.3

reporting motion to suspend and pass with amendments, §§ 14.4, 14.5

recognition to demand second

Member opposed entitled to recognition, §§ 12.10–12.13

priorities of recognition, §§ 12.14-12.20

requesting recognition, § 12.9

rereading motion where second demanded, § 12.21

recognition to offer motion

generally, § 11.1-11.3

recognition entirely within Chair's discretion, §§ 11.4–11.8

recognition of committee chairmen, §§ 11.10–11.13

reoffering motion, § 11.9

seconding the motion

Member demanding second entitled to control debate in opposition to motion, §§ 12.7, 12.8

procedure where second not demanded, § 12.6

requirement for a second, §§ 12.1, 12.2

voting on second by tellers, §§ 12.3–12.5

time and control of debate

control of time, §§ 13.6-13.9

control of time in opposition, §§ 13.10–13.12

debate where second not demanded, § 13.15

extending time for debate, §§ 13.3–13.5

motion to adjourn during consideration, §13.16

mover opens and closes debate, §§ 13.13, 13.14

previous question inapplicable, §13.17

Suspension of the rules —Cont.

special order governing debate on motion, §13.18

time for debate under rule (40 minutes, equally divided), §§ 13.1, 13.2 unanimous-consent requests during consideration, §§ 13.19, 13.20

withdrawal of motion under consideration, §§ 13.21–13.23

use and effect

effect of defeat of motion, §§ 9.1, 11.9 motion suspends all rules in conflict with motion, §§ 9.7–9.12

passage of appropriation bill, § 9.20 passage of constitutional amendment, § 9.21

passage of emergency legislation, §§ 9.22–9.24

passage of original measure submitted from floor, § 9.19

to adopt orders of business, $\S\S 9.13-9.18$

use generally, $\S\S 9.2-9.6$

voting

division of question not in order, $\S\S 16.5, 15.6$

effect of rejection of motion, $\S\S 15.7$, 15.8

passage of constitutional amendment, § 15.2

requirement of two-thirds for adoption, § 15.1

Speaker's vote, §§ 15.3, 15.4

when in order

last six days of a session, $\S\S 10.8-10.10$

 $\begin{array}{ccc} regular & suspension & days, & \S\S\,10.1, \\ & 10.2 & \end{array}$

unfinished business, §§ 10.11–10.14 varying suspension days, §§ 8.6, 8.10,

8.12, 8.23, 10.3–10.7, 10.15, 10.16

Unanimous-consent requests

appropriation bill made in order, §§ 8.13, 29.8, 29.9

Unanimous-consent requests —**Cont.**

conference report made in order, § 29.24

dispensing with Calendar Wednesday business, §§ 4.40–4.42

during consideration of motion to suspend rules, §§ 13.19, 13.20

extending time for debate on motion to suspend rules, §§ 13.3–13.5

on Calendar Wednesday, §§ 4.21-4.23

postponing consideration of privileged resolution, § 29.34

postponing votes, §§ 3.15, 3.18, 8.14–8.18

prior to approval of Journal, § 2.9

privileged resolution may be withdrawn before action without unanimous consent, §29.35

recognition for requests in discretion of Chair, §§ 1.3, 1.4, 1.14–1.18, 2.20

reference of bills, §§ 2.14, 2.16

rescheduling special-order speeches, §§ 8.19, 8.20.

varying calendar days, §§ 8.6-8.12

varying precedence of bills, §§ 8.1, 8.2, 31.7, 31.8

varying precedence of motions, §§ 8.3–8.5

varying previous order, §8.21

withdrawing motion to suspend rules after second ordered, §§ 13.21–13.23

withdrawing unfinished business does not require, §§ 3.39, 3.40

Unfinished business

Calendar Wednesday business, §§ 3.20, 3.21

calling up, §§ 3.1–3.5

conference report, § 3.22

discharged bill, § 3.23

District of Columbia business, §§ 3.25, 3.26

following recess, § 3.14

in Committee of the Whole, $\S\S 3.11-3.13$

Unfinished business —Cont.

messages, §§ 3.27, 3.28

motions to suspend rules, $\S\S 3.29-3.31$ precedence and order, $\S\S 3.6-3.10$, 3.24

private business, § 3.35

reading engrossed copy of bill (prior practice), §§ 3.32–3.34

roll call votes coming over from previous day, §§ 3.15–3.19

unaffected by inter-session adjournment. § 3.41

veto message postponed to day certain, $\S\S\,3.36{-}3.38$

withdrawal of, §§ 3.39, 3.40

Vetoed bills

privileged under Constitution

Vetoed bills —Cont.

 $\begin{array}{cccc} motion & to & discharge & committee, \\ \S\,28.8 & & & \end{array}$

postponed to day certain, §§ 28.4, 28.6

reported by committee, §28.7

status as unfinished business, §§ 3.36, 3.38

Withdrawal

motion to suspend rules, §§ 13.21–13.23

privileged resolution, §§ 18.41, 18.42, 29.35

unfinished business. §§ 3.39. 3.40